



10/27/04

IFW

PATENT

Application No.: 10/691,956
Filing Date: October 23, 2003
Applicant: Clark
Group Art: 3746
Examiner: E. Gartenberg
Title: JET BLADE EJECTOR NOZZLE
Attorney Docket: 7784-000131/DVA

Mail Stop Amendment
Director of The United States Patent and Trademark Office
P.O. Box 1450
Alexandria, Virginia 22313-1450

RESPONSE TO RESTRICTION REQUIREMENT

Sir:

In response to the Restriction Requirement mailed September 30, 2004, please consider the remarks set forth below.

Applicant thanks the Examiner for the very thorough consideration given the present application. Claims 1 through 13 are currently pending in the application.

The Examiner has entered a Restriction Requirement, stating that present application includes claims directed to three patentably distinct sets of claims. Group I, as defined by Claims 1 through 4, is directed to a turbofan engine; Group II, as defined by Claim 5, which is directed to a noise attenuator; and Group III, as defined by Claims 6 through 13, which is directed to a turbojet engine.

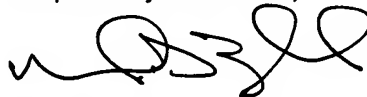
Applicant provisionally elects to prosecute the claims of Group III (Claims 6 through 13), with traverse. Notwithstanding the election, the Examiner is requested to reconsider the Restriction Requirement since the claims are so closely related that maintaining them in the same Application would not cause undue hardship for the Examiner. In this regard, Section 803 of the Manual of Patent Examining Procedures states:

If the search and examination of an entire application can be made without serious burden, the Examiner must examine it on the merits, even though it includes claims to distinct or independent inventions.

Since the Examiner does not argue that examination of Groups I and III would be a "serious burden", and as Applicant submits that there would be none. Accordingly, the Examiner is respectfully requested to reconsider and withdraw the Restriction Requirement.

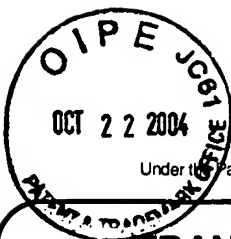
If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned attorney at (248) 641-1600. Prompt and favorable consideration of this amendment is respectfully requested.

Respectfully submitted,



Michael D. Zalobsky
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Date: October 22, 2004



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Approved for use through 07/31/2006. OMB 0651-0031
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TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	10/691,956
	Filing Date	October 23, 2003
	First Named Inventor	Larry T. Clark
	Art Unit	3746
	Examiner Name	Ehud Gartenberg
Total Number of Pages in This Submission	Attorney Docket Number	7784-000131/DVA

ENCLOSURES (check all that apply)				
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Technology Center (TC) <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Return postcard		
<table border="1"><tr><td>Remarks</td><td>The Commissioner is hereby authorized to charge any additional fees that may be required under 37 CFR 1.16 or 1.17 to Deposit Account No. 08-0750. A duplicate copy of this sheet is enclosed.</td></tr></table>			Remarks	The Commissioner is hereby authorized to charge any additional fees that may be required under 37 CFR 1.16 or 1.17 to Deposit Account No. 08-0750. A duplicate copy of this sheet is enclosed.
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SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm or Individual name	Harness, Dickey & Pierce, P.L.C.	Attorney Name Michael D. Zalobsky	Reg. No. 45,512
Signature			
Date	October 22, 2004		

CERTIFICATE OF TRANSMISSION/MAILING			
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.			
Typed or printed name	Claudia J. Richard	Express Mail Label No.	EV 406 076 476 US
Signature		Date	October 22, 2004

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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